

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality, Srikakulam District – Disciplinary Proceedings instituted under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and Rule-9 of Andhra Pradesh Revised Pension Rules, 1980 – Enquiry conducted – Imposed penalty of 10% cut in pension permanently – Orders - Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II-2) DEPARTMENT

G.O.RT.No. 721.

Dated:02.09.2014

- 1.From CDMA, A.P. Hyd Lr.Roc.No.7458/2004-E3, Dt.08.09.2004 & 29.04.2006.
2. G.O.Ms.No.558, MA&UD(L2) Dept., dated 19.05.2006.
3. Representation of Sri V.Satyanarayana, former TPS, Palasa-Kasibugga Municipality, dt.01.08.2006.
4. G.O.Rt.No. 447, MA&UD(L2) Dept dt.23.03.2009.
5. From Enquiry Officer Lr.Roc.No.2606/2009/C1, dt.23.10.2010.
6. Govt.Memo No.6281/L2/2003-14, Dt.30.12.2010.
7. Written explanation of Sri V.Satyanarayana, dt.02.09.2011.
8. From the APAT, Hyd order dt:16.12.2013 in OA.No.8312/2013.
9. From Hon'ble APAT, Hyd Order dt: 17.04.2014 CA No.674/2014 in OANo.8312/2013 filed by Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality.
10. Govt.Memo.No.6281/Vig.II/2003, dt:06.08.2014.
11. Representation dt:11.08.2014 of sri V. Satyanarayana, TPS (Rtd). Formerly at Palasa – Kasibugga.
12. From the DTCP, AP, Hyd Lr.Roc.No.106/2011/M4, dt:06.08.2014.
- 13.Govt.Lr.No. 6281/Vig.II/2003, dt:11.08.2014.
- 14.From APPSC, Hyderabad Lr.No.955/RT/2/2014, Dt.27.08.2014.

ORDER:

In the reference 1st read above, the Commissioner and Director of Municipal Administration, A.P, Hyderabad has furnished the Draft Articles of Charges against Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality, Srikakulam District along with others for allowing the deviations and unauthorized construction of commercial building in violation of building rules in Palasa-Kasibugga Municipality.

2. In the G.O 2nd read above, the following charges were issued against Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality, Srikakulam District.

Charge No.I

That he had failed to identify that the said setbacks of on either side were not proposed in the plans submitted in an application by Smt.P.Shyama Devi Pathak W/o P.Sukesswara Pathak and recommended the plan as proposed for approval which is not in accordance with the Building Rules.

Charge No.II

That he had failed verify the documents submitted with plan in an application by Smt.Jayalakshmi, and he has also inspected site and recommended the plan though it is not in accordance with the Building Rules by colluding with the applicant i.e., the applicant reduced depth of the site limit the extent below 50Sq.Mt. to avoid side set backs (as per document the extent of site is 58.50 Sq.Mt. Where as in the plan the extent of site is 49.60Sq.Mt.) Floor area is also permitted more than the permissible area i.e., permitted is 76.08 Sq.Mt. where as permissible area is 62 Sq.Mt. He has also allowed the applicant to construct the building on the total extant of the site mentioned in the registered document.

Charge No.III

That he had failed to verify the plan submitted in an application by Sri M.Govinda Raju and even though he has also inspected the site, he failed to detect that, the site is situated in an unauthorized lay out area sub divide long back. He has recommended for grant of permission of the plan in unauthorized lay out without recommending for collection of betterment charges and 10% open space cost, which irregular and financial loss to the Municipality.

Charge No.IV

That he had failed to verify and point out the said setbacks proposed in the plans submitted in an application by Sri P.Balakameshwar Rao and P.Jayasankar is not in accordance with the Building Rules while returning the Plans.

Charge No.V

That he had failed to inspect the Town to find out the unauthorized constructions and also the constructions deviating the approved plans and to bring the same to the notice Municipal Commissioner.

Charge No.VI

That he had failed to taken necessary action on the construction of commercial complex at Tilak Nagar by the Owners of Smt.P.Sandhya and Sri P.Sivaprasad which constructed in deviation to the building Rules and regulations.

Charge No.VII

That he had failed to take necessary action on the unauthorized construction at Bhaskar Commercial Complex at Tilak Nagar by the Owners of Smt.P.Sandya and Sri.P.Sivaprasad.

Charge No.VIII

That he had failed to verify and point out the Rear setback proposed in the plans submitted in and application by Sri P.Krishan for construction of G+2 Commercial Building near D.No.15-33 in 15th Ward is not accordance with Building rules and recommended for approval of the same though it is contrary to the instructions issued in G.O.Ms.No.422 M.A. dated 31-07-1998. He has also not taken action against the Builders in time, when he deviated from the sanctioned plan while constructing. He has also allowed the unauthorized construction in the floor of the same building.

Charge No.IX

That his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a members service and there by violated Rules-3(1) and (2) of A.P.C.S. (Conduct) Rules 1964.

3. In the reference 3rd read above, the charged officer has submitted his Written Statement of Defense. After examination of the Written Statement of Defense of charged officer and others in the reference 4th read above, orders were issued appointing Sri S.S.Varma, Municipal Commissioner, Chittoor Municipality as Inquiry Authority to inquire into the charges.

4. In the reference 5th read above, the Enquiry Officer has submitted his enquiry report and held that all charges framed against the Charged Officer Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality, Srikakulam District are proved.

5. In the reference 6th read above, a copy of the Enquiry Report has been communicated to Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality & other C.Os with a request to submit their representations on the findings of the Enquiry Officer.

6. In the reference 7th read above, the Charged Officer Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality has submitted his explanation denying all charges framed against him.

7. In the reference 8th read above, Sri V.Satyanarayan, the then TPS of Palasa Kasibugga Municipality has filed O.A.No. 8312/2013 in Hon'ble APAT, and the Hon'ble Tribunal in its order dt:16.12.2013 in O.A No.8312/2013 has passed the following order:

" In view of the same, the OA is disposed of with a direction to the respondents to ensure that the enquiry officers report is furnished to the applicant within a period of one week from the date of receipt of a copy of this order. Thereafter, the applicant is directed to submit his explanation raising his views in detail containing all the facts within a period of two weeks to the respondents, who will conclude the disciplinary proceedings and pass final orders in the matter within a further period of six weeks. No order as to costs."

8. The charged officer has also filed CA No.674/2014 in OA No.8312/2013 in the Hon'ble APAT for not implementing the above Hon'ble APAT orders dt.16.12.2013.

9. After examination of the enquiry report and the representation of the charged officer after duly consulting the advisory authority, Govt. have taken a provisional decision to impose a penalty of 10% cut in the pension permanently against Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality, as all the charges held proved against him in the enquiry and issued a Show Cause Notice to him as per Rule 9 of APRP Rules, 1980 – vide Govt. Memo. dt:06.08.2014.

10. In the reference 11th read above, the charged officer Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality has submitted his representation on the show cause notice.

11. Govt. after careful examination of the matter including the representation dt:11.08.2014 of Sri V. Satyanarayana, TPS (Rtd), have decided to confirm the provisional decision to impose the penalty of 10% cut in his pension permanently for the charges held proved against him. Accordingly, the APPSC was addressed to convey their concurrence to the above proposal vide reference 13th read above.

12. In the reference 14th read above, the Andhra Pradesh Public Service Commission, AP, Hyderabad has agreed to the proposal of Government to impose a penalty of 10% cut in pension permanently against Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality, Srikakulam District.

13. Accordingly, Government after examination of the matter and in pursuance of the orders of Hon'ble APAT, hereby impose a penalty of 10% cut in his pension permanently against Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality for the charges held proved in terms of Rule-9 of A.P.Revised Pension Rules, 1980.

14. The Commissioner and Director of Municipal Administration, A.P, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D.SAMBASIVA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri V.Satyanarayana, TPS (Rtd), Palasa-Kasibugga Municipality, Srikakulam District –
through the Commissioner and Director of Municipal Administration, A.P, Hyderabad.
The Commissioner and Director of Municipal Administration, A.P, Hyderabad.
The Director of Town & Country Planning, A.P, Hyderabad.
The Principal Accountant General (A&E) A.P, Hyderabad

Copy to:

The Regional Director-Cum-Appellate Commissioner of Municipal
Administration, Rajahmundry.
The Secretary, AP Vigilance Commission. A.P. Secretariat, Hyderabad.
The Secretary, APPSC, Nampally, Hyderabad
The Commissioner, Palasa-Kasibugga Municipality, Srikakulam Dt,
The Govt. Pleader for MA & UD (Ser). APAT, Hyderabad
The PS to M (MA & UD).
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER